

City of San Antonio



Draft

Board of Adjustment Minutes

Development and Business Services

Center

1901 South Alamo

August 2, 2021

1:00PM

1901 S. Alamo

Board of Adjustment Members

A majority of appointive Members shall constitute a quorum.

Donald Oroian, District 8, Chair

Andrew Ozuna, Mayor, Vice Chair

Seth Teel, District 6, Pro-Tem

Vacant, District 1 | Vacant, District 2

Abel Menchaca, District 3 | George Britton, District 4 |

Maria Cruz, District 5 | Phillip Manna, District 7

Kimberly Bragman, District 9 | Jonathan Delmer, District 10

Alternate Members

Cyra M. Trevino | Vacant | Arlene B. Fisher | Vacant | Vacant |

Kevin W. Love | Vacant

1:13 P.M. - Call to Order

- Roll Call

- Present: Menchaca, Cruz, Manna, Bragman, Delmer, Fisher, Love, Ozuna, Oroian

- Absent: Britton, Teel

2 Translators from SeproTec were present to assist with translating.

**THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE
REGULAR BOARD OF ADJUSTMENT MEETING:**

*Public Hearing and Consideration of the following Variances, Special Exceptions, Appeals,
as identified below*

- Item #1** **BOA-21-10300067:** A request by Louis Mendiola for 1) 3' variance to the required 5' side setback to allow a rear detached accessory structure side setback of 2' including a 1" overhang on the eastern side and 2) a 4'11" variance to the required 5' side setback to allow a rear carport side setback of 1" on the western side with a 4" overhang, located at 327 Ada Street. Staff recommends Approval. (Council District 3) (Michael Pepe, Senior Planner, (210) 207-8208, Michael.Pepe@sanantonio.gov, Development Services Department)

Staff stated 31 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition. No response from the Riverside Neighborhood Association.

Louis Mendiola, 327 Ada Street – Requesting variance to extend garage and cover patio.

No Public Comment

The Board asked the applicant questions concerning the request. The Applicant responses were heard by the board as well as other testimonies offered, followed by a discussion among board members before the vote.

Chair Oroian asked for a motion for item BOA-20-10300067, as presented

Mr. Ozuna made a **motion** for BOA-20-10300067 for approval

“Regarding Case No. BOA-21-10300067, I move that the Board of Adjustment grant a request for 1) a 3' variance to the required 5' side setback to allow a rear detached accessory structure side setback of 2' including a 1" overhang on the eastern side and 2) a 4'11" variance to the required 5' side setback to allow a rear carport side setback of 1" on the western side with a 4" overhang, situated at 327 Ada Street, applicant being Louis Mendiola, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

1. *The variance is not contrary to the public interest.*
The public interest is defined as the general health, safety, and welfare of the public. The proposed additions would not be out of character with the neighborhood in extent and location relative to property lines.
2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*
Literal enforcement of the ordinance would result in unnecessary hardship. This property is accessed from the rear alley, while the original home is situated in a way that offers less room for expansion near the front of the property.
3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*
The spirit of the ordinance is defined as the intent of the code, rather than the exact letter of the law. The structure will remain a significant distance from any neighboring structures.

4. *The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.*

No uses other than those permitted within the district will be allowed with this variance.

5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*

If granted, the variance will not alter the essential character of the district, which includes several older structures which are in close proximity to property lines. The allowance for additional parking in the rear of the property would reduce car storage in the front of the property, reducing impacts on neighboring properties.

6. *The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial and are not due to or the result of general conditions in the district in which the property is located.*

The Board finds the compact nature of the lot and the positioning of the original home make it necessary to add parking to the rear of the property.”

Second: Manna

In Favor: Menchaca, Cruz, Manna, Bragman, Delmer, Fisher, Love, Ozuna, Oroian

Opposed: None

Motion Granted

Item #2

BOA-21-10300070: A request by Jim Popa for 1) a 412 square foot variance from the required 6,000 square foot minimum lot size requirement to allow for a 5,588 square foot lot, located at 221 Rose Lane. Staff recommends Approval. (Council District 1) (Roland Arsate, Planner (210) 207-3074, Roland.Arsate@sanantonio.gov, Development Services Department)

Staff stated 37 notices were mailed to property owners within 200 feet, 2 returned in favor, 0 returned in opposition. No response from the Tobin Hill Community Association.

Dan Greene, 221 Rose Lane – Requesting variance to allow for construction of new home on vacant lot. The home would be good for the neighborhood.

Submitted Public Comment

Roger Cortez, 519 E Ashby St – In favor (mail in)

Gilbert Gonzalez, 211 Rose Lane – In favor (mail in)

The Board asked the applicant questions concerning the request. The Applicant responses were heard by the board as well as other testimonies offered, followed by a discussion among board members before the vote.

Chair Oroian asked for a motion for item BOA-20-10300070, as presented

Ms. Bragman made a **motion** for BOA-20-10300070 for approval

“Regarding Case No. BOA-21-10300070, I move that the Board of Adjustment grant a request for a 412 sq. ft. variance from the required 6,000 sq. ft. minimum lot size requirement, situated at 221 Rose Lane, applicant being Jim Popa, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

1. *The variance is not contrary to the public interest.*
The public interest is defined as the general health, safety, and welfare of the public. The request to allow a minimum lot size variance is not contrary to the public interest as the applicant has adequate space from the adjacent structure.
2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*
The Board finds that any special conditions that, if enforced, would result in an unnecessary hardship. By imposing a literal enforcement, the applicant would need to apply to change the zoning.
3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*
The spirit of the ordinance is defined as the intent of the code, rather than the exact letter of the law. The intent of the minimum lot size is to provide a consistent lot size within a development, but many of these lots in the area have a similar size.
4. *The variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.*
The variance will not authorize the operation of a use other than those uses specifically authorized by the district.
5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*
The request to reduce the minimum size lot does not pose a risk of substantially injuring the use of adjacent properties and does not seem likely to alter the essential character of the district. This property is located within an older neighborhood, and there are other similar lot sizes around this neighborhood.
6. *The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.*
The Board finds that the plight of the property owner is sought due to the unique circumstances existing on the lot size due to the subdivision of lots to construct residential homes.”

Second: Cruz

In Favor: Menchaca, Cruz, Manna, Bragman, Delmer, Fisher, Love, Ozuna, Oroian

Opposed: None

Motion Granted

Item #3

BOA-21-10300073: A request by Javier Martinez for 4' 11" variance from the minimum 5' side setback to allow an attached carport to be 1" from the side property line, located at 1018 Vanderbilt Street. Staff recommends Denial with an Alternate Recommendation. (Council District 3) (Roland Arsate, Planner (210) 207-3074, Roland.Arsate@sanantonio.gov, Development Services Department)

Staff stated 24 notices were mailed to property owners within 200 feet, 1 returned in favor, and 0 returned in opposition. No response from the Highland Park Neighborhood Association.

Javier Martinez, 1018 Vanderbilt Street – Request to continue case to August 16, 2021 Board of Adjustment meeting.

Submitted Public Comment

Dale Sanders, 13243 Hunters View – In favor (mail in)

Chair Oroian asked for a motion for item BOA-21-10300073, to be continued to the August 16, 2021 Board of Adjustment meeting.

Ms. Fisher made a **motion** for BOA-21-10300073, to be continued to the August 16, 2021 Board of Adjustment meeting.

Second: Love

In Favor: Menchaca, Cruz, Manna, Bragman, Delmer, Fisher, Love, Ozuna, Oroian

Opposed: None

Motion Granted

Item #4

BOA-21-10300076: A request by Mark Wanke for a 15' 6" variance to the minimum 20' rear setback to allow for an attached deck to be 4' 6" from the rear property line with a 2' overhang, located at 12014 Sunburst Lane. Staff recommends Approval. (Council District 8) (Roland Arsate, Planner (210) 207-3074, Roland.Arsate@sanantonio.gov, Development Services Department)

Staff stated 20 notices were mailed to property owners within 200 feet, 2 returned in favor, 0 returned in opposition. No response from the Vance Jackson Community Association.

Mark Wanke, 12014 Sunburst Lane – Requesting setback variance to allow for the construction of an attached deck with overhang. Also mentioned the bottom of the deck would have skirting to match the rest of the home.

Submitted Public Comment

Tommy & Julia Keck, 12026 Sunburst – In favor (mail in)

Leticia Garza, 4123 Sandstone St – In favor (mail in)

The Board asked the applicant questions concerning the request. The Applicant responses were heard by the board as well as other testimonies offered, followed by a discussion among board members before the vote.

Chair Oroian asked for a motion for item BOA-20-10300076, as presented

Ms. Fisher made a **motion** for BOA-20-10300076 for approval

“Regarding Case No. BOA-21-10300076, I move that the Board of Adjustment grant a request for a 15’ 6” variance to the minimum 20’ rear setback to allow an attached covered rear deck with 1’ overhang to be 4’ 6” from the rear property line, situated at 12014 Sunburst Lane, applicant being Mark Wanke, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

1. *The variance is not contrary to the public interest.*
The public interest is defined as the general health, safety, and welfare of the public. The request to allow an attached covered rear deck encroachment into the rear setback is not contrary to the public interest as the applicant has adequate space from the adjacent structure.
2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*
The Board finds that any special conditions that, if enforced, would result in an unnecessary hardship. By imposing a literal enforcement, the deck would need to be adjusted to 15’ 6” which would eliminate the deck in its entirety.
3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*
The spirit of the ordinance is defined as the intent of the code, rather than the exact letter of the law. The intent of the setbacks is to provide spacing between neighboring structures which is observed.
4. *The variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.*
The variance will not authorize the operation of a use other than those uses specifically authorized by the district.

5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*

The request to reduce a portion of the rear setback does not pose a risk of substantially injuring the use of adjacent properties and does not seem likely to alter the essential character of the district.

6. *The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.*

The Board finds that the plight of the property owner is sought due to the unique circumstances existing on the property due to the limited space in the rear of the property for a deck.”

Second: Love

In Favor: Menchaca, Cruz, Manna, Bragman, Delmer, Fisher, Love, Ozuna, Oroian

Opposed: None

Motion Granted

Item #5

BOA-21-10300087: A request by Edward Montez for 1) 4' 1" variance to the required 5' side setback to allow a rear detached accessory structure to be 11" with an 1' overhang from the western side, 2) 3' 10" variance to the required 5' side setback to allow a rear detached accessory structure to be 2'2" with an 7" overhang on the eastern side, 3) a variance to fencing material to allow the rear yard fence to be constructed of corrugated metal, 4) a 2'6" variance to the required 5' side setback to allow for the primary structure to be 3'6" from the side property line, and 5) 4) a 9'10" variance to the required 20' rear setback to allow for the primary structure to be 10'2" from the rear property line with an overhang of 1'3", located at 1538 W French Place. Staff recommends Approval. (Council District 1) (Michael Pepe, Senior Planner, (210) 207-8208, Michael.Pepe@sanantonio.gov, Development Services Department)

Staff stated 14 notices were mailed to property owners within 200 feet, 1 returned in favor, 0 returned in opposition. No response from the West End Hope in Action Neighborhood Association.

Rene LaFuente, 1538 W French Place – Requesting variance to get all permits for construction straight in order to continue project.

No Public Comment

The Board asked the applicant questions concerning the request. The Applicant responses were heard by the board as well as other testimonies offered, followed by a discussion among board members before the vote.

Chair Oroian asked for a motion for item BOA-20-10300087, as presented

Mr. Ozuna made a **motion** for BOA-20-10300087 for approval

“Regarding Case No. BOA-21-10300087, I move that the Board of Adjustment grant a request for 1) the rear yard fence to be constructed of corrugated metal with the appropriate backing and safety requirements, 2) a 2'6" variance to the required 5' side setback to allow for the primary structure to be 3'6" from the side property line, and 3) a 9'10" variance to the required 20' rear setback to allow for the primary structure to be 10'2" from the side property line with an overhang of 1'3", situated at 1538 West French Place, applicant being Edward Montez, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

1. *The variance is not contrary to the public interest.*
The public interest is defined as the general health, safety, and welfare of the public. The proposed addition would not be out of character with the neighborhood in extent and location relative to property lines. The block in question hold multiple properties constructed within the rear setback.
2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*
Literal enforcement of the ordinance would result in unnecessary hardship. The additions are already constructed, and the oblique lot makes it difficult to build within the typical setbacks.
3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*
The spirit of the ordinance is defined as the intent of the code, rather than the exact letter of the law. The side and rear setbacks are intended to prevent runoff onto neighboring properties as well as provide distance from neighboring structures for the purposes of fire safety and maintenance. The property borders a creek right of way to the rear so no other structures will be present in proximity to the requested additions.
4. *The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.*
No uses other than those permitted within the district will be allowed with this variance.
5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*
If granted, the variance will not alter the essential character of the district, which includes several older structures which are in close proximity to property lines. The proposed additions and existing fence will not be visible from public right of way.
6. *The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial and are not due to or the result of general conditions in the district in which the property is located.*
The Board finds that the small nature of the property makes it necessary to expand towards the rear property line, which is oblique to the front of the property, due to the presence of the creek way.”

Second: Manna

In Favor: Menchaca, Cruz, Manna, Bragman, Delmer, Fisher, Love, Ozuna, Oroian

Opposed: None

Motion Granted

Item #6 **BOA-21-10300075:** A request by Francisco Leija for 1) a 2' 6" variance from the minimum 5' side setback to allow a carport to be 2' 6" away from the side property line, 2) a 9' 9" variance from the 10' front setback to allow a carport to be 3" away from the front property line, 3) a 4' 11" variance from the minimum 5' side setback to allow a 1" side setback, and 3) a 40% variance from the 50% front yard impervious cover limitation to allow front yard impervious cover of 90%, and 4) a 11' 5" variance from the minimum 15' Clear vision area to allow a driveway with a 3' 7" clear vision area, located at 2414 Suzette Avenue. Staff recommends Denial with Alternate Recommendations. (Council District 6) (Kayla Leal, Senior Planner (210) 207-0197, kayla.leal@sanantonio.gov, Development Services Department)

Staff stated 17 notices were mailed to property owners within 200 feet, 1 returned in favor, 0 returned in opposition. No response from the Highland Park Neighborhood Association.

Francisco Leija, 2414 Suzette Ave – Requested item to be continued to the September 20, 2021 Board of Adjustment meeting.

No Public Comment

The Board asked the applicant questions concerning the request. The Applicant responses were heard by the board as well as other testimonies offered, followed by a discussion among board members before the vote.

Chair Oroian asked for a motion for item BOA-20-10300075, to be continued to the September 20, 2021 Board of Adjustment meeting.

Mr. Manna made a **motion** for BOA-20-10300075 to be continued to the September 20, 2021 Board of Adjustment meeting.

Second: Menchaca

In Favor: Menchaca, Cruz, Manna, Bragman, Delmer, Fisher, Love, Ozuna, Oroian

Opposed: None

Motion Granted

Item #7 **BOA-21-10300079:** A request by Catalina Rocha for a special exception to allow 1) a front yard fence to be 6' tall and 2) a portion of a side yard fence to be 8' tall, located at 216 Fairview Avenue. Staff recommends Approval. (Council District 3) (Kayla Leal, Senior Planner (210) 207-0197, kayla.leal@sanantonio.gov, Development Services Department)

Staff stated 33 notices were mailed to property owners within 200 feet, 3 returned in favor, 0 returned in opposition. No response from the Riverside Neighborhood Association.

Catalina Rocha, 216 Fairview Avenue – Requesting a special exception for fence height. The fence is needed for safety and protection.

No Public Comment

The Board asked the applicant questions concerning the request. The Applicant responses were heard by the board as well as other testimonies offered, followed by a discussion among board members before the vote.

Chair Oroian asked for a motion for item BOA-20-10300079, as presented

Mr. Manna made a **motion** for BOA-20-10300079 for approval

“Regarding Case No. BOA-21-10300079, I move that the Board of Adjustment grant 1) a special exception from the maximum 3’ fence height to allow a front yard solid screened fence to be 6’ tall and 2) a special exception from the maximum 6’ fence height to allow a portion of a side yard fence to be 8’ tall, situated at 216 Fairview Avenue, applicant being Catalina Rocha, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

1. *The special exception will be in harmony with the spirit and purpose of the chapter.*
The Board finds the additional fence height along the front property line and a portion of the side property line is intended to provide additional safety and security for the property. DSD Traffic has reviewed the request and do not have any opposition to the request.
2. *The public welfare and convenience will be substantially served.*
In this case, these criteria are represented by fence heights to protect residential property owners while still promoting a sense of community. A 6’ solid-screened fence along the front yard does not pose any adverse effects to the public welfare since there will not be any Clear Vision violations.
3. *The neighboring property will not be substantially injured by such proposed use.*
The Board finds that the fence will create enhanced security for the subject property and is unlikely to injure adjacent properties.
4. *The special exception will not alter the essential character of the district and location in which the property for which the special exception is sought.*
The additional height for the section of front yard and side yard fence will not alter the essential character of the district and will provide security of the district. DSD Traffic Staff did review the fence and it does not violate any Clear Vision Standards.

5. *The special exception will not weaken the general purpose of the district or the regulations herein established for the specific district.*

The current zoning permits the current use of a single-family home. The requested special exception will not weaken the general purpose of the district.”

Second: Bragman

Chair Oroian reopened the public hearing to clarify with Applicant the request for front yard fence. After discussion, the motion was amended and approved by Mr. Manna and Ms. Bragman to include, “front fence parallel to street is to remain predominantly open.”

In Favor: Menchaca, Cruz, Manna, Bragman, Delmer, Fisher, Love, Ozuna, Oroian

Opposed: None

Motion Granted

Chair Oroian called for the Board of Adjustment to take a recess at 2:42 pm. The Board of Adjustment returned at 2:50 pm.

Item #8

BOA-21-10300089: A request by David Beyer for a 14'11" variance to the 15' Type B and Type C Bufferyard to allow a 1" Type B and Type C Buffer, located at 3200 Fredericksburg Road. Staff recommends Approval. (Council District 1) (Kayla Leal, Senior Planner (210) 207-0197, kayla.leal@sanantonio.gov, Development Services Department)

Staff stated 30 notices were mailed to property owners within 200 feet, 2 returned in favor, 0 returned in opposition. No response from the Los Angeles Heights Neighborhood Association.

Kevin McCloud, 3200 Fredericksburg Rd – Requesting bufferyard variance to allow for space to build a fence to block out noise. Minimizing off-street parking.

Public Comment

Isaac Martinez, 2311 Edison – In opposition (mail in)

The Board asked the applicant questions concerning the request. The Applicant responses were heard by the board as well as other testimonies offered, followed by a discussion among board members before the vote.

Chair Oroian asked for a motion for item BOA-20-10300089, as presented

Mr. Manna made a **motion** for BOA-20-10300089 for approval

“Regarding Case No. BOA-21-10300089, I move that the Board of Adjustment grant a request for a **1’** variance to the minimum 15' Type B and Type C Bufferyards along **the edge of 2319 Fresno and a 13’ variance to the 15’ Type B and Type C bufferyard for the remainder** to allow a 2’ Type B and Type C Buffer, situated at

3200 Fredericksburg Road, applicant being David Beyer, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

1. *The variance is not contrary to the public interest.*
The public interest is defined as the general health, safety, and welfare of the public. The request to allow the reduction in the bufferyard is not contrary to the public interest as parking will be provided for the commercial use.
2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*
The Board finds that any special conditions that, if enforced, would result in an unnecessary hardship. By imposing a literal enforcement, the amount of space for parking would be reduced and would create more on-street parking.
3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*
The spirit of the ordinance is defined as the intent of the code, rather than the exact letter of the law. The intent of the landscape buffer is to provide spacing between residential and commercial uses which is still observed by providing parking between the structures.
4. *The variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.*
The variance will not authorize the operation of a use other than those uses specifically authorized by the district.
5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*
The request to reduce the landscape buffer to 2' does not pose a risk of substantially injuring the use of adjacent properties and does not seem likely to alter the essential character of the district.
6. *The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.*
The Board finds that the plight of the property owner is sought due to the unique circumstances existing on the property due to the small lot size."

Second: Love

In Favor: Menchaca, Cruz, Manna, Bragman, Delmer, Fisher, Love, Ozuna, Oroian

Opposed: None

Motion Granted

Item #10 Consideration and approval of July 19, 2021 Board of Adjustment meeting minutes.

Motion: Chair Oroian asked for a motion for approval of July 19, 2021

Ms. Cruz made a **motion** for approval of July 19, 2021 minutes as presented.

Second: Fisher

In Favor: Menchaca, Cruz, Manna, Bragman, Delmer, Fisher, Love, Ozuna, Oroian

Opposed: None

Minutes approved

Director's Report: Discussion of Board of Adjustment logistics for in-person meetings.

Item #9 **BOA-21-10300090:** A request by Tarun Gajera for a 4' 8" variance from the minimum 5' side setback requirement to allow an addition with 2" gutters to be 4" from side property line, located at 343 Bank Street. Staff recommends Denial with an Alternate Recommendation. (Council District 5) (Kayla Leal, Senior Planner (210) 207-0197, kayla.leal@sanantonio.gov, Development Services Department)

Staff stated 35 notices were mailed to property owners within 200 feet, 0 returned in favor, 1 returned in opposition. No response from the Lone Star Neighborhood Association.

Tarun Gajera, 343 Bank Street – Requesting setback variance to allow for improvements constructed to house.

Public Comment

Raul Cantu, 339 Bank Street – In opposition

The Board asked the applicant questions concerning the request. The Applicant responses were heard by the board as well as other testimonies offered, followed by a discussion among board members before the vote.

Chair Oroian asked for a motion for item BOA-20-10300090, to be continued to the September 20, 2021 Board of Adjustment meeting.

Mr. Ozuna made a **motion** for BOA-20-10300090 to be continued

Second: Cruz

In Favor: Fisher, Menchaca, Cruz, Bragman, Ozuna, Oroian

Opposed: Love, Manna, Delmer

Motion Granted by majority

Adjournment

There being no further business, the meeting was adjourned at 4:07 p.m.

DRAFT

APPROVED BY: _____ OR _____
Chairman Vice-Chair

DATE: _____

ATTESTED BY: _____ DATE: _____
Executive Secretary

DRAFT